

Carnival and Amusement Ride Safety Advisory Board

June 4, 2009

Board Members Present: Cynthia Wilk, Chair; Lucy Murphy; William Gehlhaus; William Zumsteg; Albert Belmont; Nancy Sheridan; Debbie Henderson; Christopher Leitner

DCA Staff Present: Michael Baier, Acting Chief, Bureau of Code Services; Michael Triplett, Carnival and Amusement Ride Safety Unit; Andreas Lichter, Carnival and Amusement Ride Safety Unit; Donald VanHouten, Carnival and Amusement Ride Safety Unit; Carrie Battista, Bureau of Code Services

Members of the Public: Anthony Casale, Funfactory Amusements/ROAR; Kim Samarelli, NJAA; Lary Zucker, NJAA; Ed McGlynn, NJAA

The meeting was called to order at 10:05 am.

Approval of the Minutes of March 26, 2009

A motion was made by Lucy Murphy seconded by William Gehlhaus to accept the minutes of the 3/26/09 meeting. The following changes to the minutes were suggested. Under new business item 1 in the minutes it was suggested that the word “drain” should be included before the word entrapment on line 2. Under new business item 3, in line three, “gravity propelled ride” was suggested to be changed to “gravity propelled rides.” The minutes were approved unanimously with the changes listed above. A motion was made by Lucy Murphy seconded by Nancy Sheridan to approve the minutes with the changes. All were in favor.

Old Business

1. Electrical Disconnects and Emergency Stops – There is a standing committee that was formed by the Board to discuss these issues. Staff reported that the group had met and had agreed in principle to the disconnect requirements for amusement rides. Essentially the agreement was that NFPA 79 would apply to disconnects at fixed parks. The requirements of NFPA 70 Article 525 would apply to portable rides. Staff reported that the committee was scheduled to meet the afternoon of June 4th to discuss emergency stops and emergency switching off means. There is no action to be taken by the Board at this time.

2. Virginia Graeme Baker Act – Staff distributed a guidance document that was put on the DCA website. The guidance document was published jointly with the Department of Health. The Document makes it clear that responsibility for enforcement of the Virginia Graeme Baker Act lies with the Consumer Product Safety Commission. Therefore both agencies have agreed not to shut down pools for non-compliance with the Act but will

report cases where people are not making a good faith effort to comply with the Act to the consumer product safety commission.

3. Rides at Youth Day Camps - Staff reported that a meeting had taken place with the committee that was formed by the Board. The committee is concerned with the inspection of gravity propelled rides at youth day camps. The current statutory definition of a ride includes gravity or passenger propelled rides when they are located with other traditional mechanical rides. Gravity and passenger propelled rides are not well defined in the rules and can be read to include such things as soft play equipment, smaller pool slides and playground equipment. The committee was interested in finding out if current Department of Health oversight of Youth Day camps includes an inspection of Gravity/Passenger propelled rides and in addition, if a dividing line between regulated gravity rides and non-regulated rides can be established.

D. Information:

1. The ride statistics were presented. There were no questions
2. A board member asked how the Department felt that the NAARSO training that was offered by NJAA went. Staff responded that the Department did not attend the NAARSO training but elected to do the AIMS online training to meet its CEU requirement to maintain the inspectors NAARSO Certification. Someone questioned whether this could be done by others. The Department responded that as long as the training is recognized by NAARSO, which AIMS currently is, it is acceptable.

E. Public Comment:

1. A member of the public asked if a permit was required for rental rides intended for use at single family dwellings. Staff responded yes but that an itinerary is not required to be submitted for "backyard" events. A follow up question on training was asked. Staff responded that someone must be trained as an operator (it could be the homeowner) at a backyard event.
2. A member of the public asked if people performing maintenance on amusement rides have to be an RCMT now. Staff responded that they have time to comply, and that the requirement does not become effective until 2 years after the date it was published.
3. Lary Zucker announced that the NJAA had celebrated its 50 th anniversary.
4. A member of the public asked if the mechanical deficiency form could be renamed since it has a negative connotation as evidence of a risk to the public in litigation. It was suggested that something similar to a "fix it memo" like the Federal Aviation Administration uses should be used.
5. Lary Zucker followed up on the previous discussion on the RCMT rule noting that the Department will ask people to comply with the rule now but will do it in the context of

educating people on the rule. He reported that the NJAA would be available to assist the Department in educating the public on the rule.

6. A member of the public asked if there were any adverse affects from the Department's furlough on May 26 th. The Director reported that there was an incident over the Memorial Day weekend involving an injury to a rider but that there were no incidents on the Tuesday after Memorial Day which was a furlough day for the Department. The Director responded that the ride unit had not been designated as essential and therefore there was no-one allowed to work that day. Therefore, the normal hotline coverage was not available and the only calls that would be taken would be cases of a fatality or very serious injury. If there was a mechanical malfunction there would be no one available to handle that type of call. A Board member asked how many calls were made to the hotline. The Department responded that those numbers are not part of the statistical report that the Department normally runs. A Board member asked if the calls to the hotline are normally legitimate hotline issues, and whether all of the patron accidents on the statistical report would have been reported through the hotline. Staff reported that at one time many of the calls received through the hotline were not legitimate calls but that has changed and now nearly all of the calls are to report incidents that require a call. Staff also responded that all of the injuries that are reported on the statistical report were reported through the hotline.

F. Adjournment

Motion was made by William Zumsteg seconded by Al Belmont to adjourn. All were in favor the meeting adjourned at 11:17 am.